REMARKS

This Amendment is filed in response to the Office Action mailed on August 24, 2007. All objections and rejections are respectfully traversed.

Claims 1, 20-32, 37, 38, and 48-58 are in the case.

Claims 1, 20, 22-23, 26-32 and 37 were amended to better claim the invention.

Claims 39-47 were cancelled without prejudice.

Claims 48 – 58 were added to better claim the invention.

Request for Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The Applicant may be reached at 617-951-3028.

Claim Objections

At Paragraph 2 of the Office Action claims 1, 20-32, and 37-38 were objected to on the grounds that applicant used the word "actions" rather than the word "operations".

Applicant respectfully traverses this objection on the grounds that the Specification refers to "actions" at many places. Particularly, the flow chart of Fig. 9 refers to per-

forming "actions" at block 930. Furthermore, the following sections of the Specification also refer to the term "actions": Page 6 Lines 22 and 26; Page 7 line 4; Page 15 line 5; Pages 15 lines 27-29; Page 16 line 7; and Page 17 line 3.

Accordingly, Applicant respectfully urges that the term "actions" is fully disclosed in the Specification and drawings.

Claim Rejection – 35 USC §101

At Paragraphs 4-5 of the Office Action, Claims 1, 20-32 and 37-38 were rejected under 35 U.S.C. 101 on the grounds that the claims are directed to non-statutory subject matter. Applicant respectfully urges that amendment of the claims satisfies this rejection.

Claim Rejection – 35 USC §112

At Paragraphs 6-7 of the Office Action, Claims 1, 20-32, and 37-38 were rejected under 35 U.S.C. 112, second paragraph, on the grounds that the words "where the series of actions include at least one of converting, copying, or linking" are not appropriate. Amendment of the claims is believed to satisfy this rejection.

Allowable Subject Matter

At paragraph 10 of the Office Action, the Examiner indicated that Claims 22, 23, 28 and 29 would be allowable if rewritten to overcome the 101 and 112 rejections. Amendment of the claims is believed to satisfy the Examiner's requirement.

Claim Rejection – 35 USC §102

At Paragraphs 8-9 of the Office Action, Claims 1, 20, 21, 24, 25, 26, 27, 30, 32,

37, and 38 were rejected under 35 U.S.C. 102(e) as being anticipated by Fischer et al. U.

S. Patent No. 6,865,614 filed on March 8, 2005.

Applicant's claimed invention, as set forth by independent claim 1, comprises in

part:

1. A method for converting a file access data structure from a first en-
dianness to a second endianness by a processor, the method comprising
the steps of:
  *determining if the file access data structure is a critical path data
structure, where the critical path data structure includes commonly util-
ized data structures;*
  *in response to determining that the file access data structure is
the critical path data structure, performing byte swap operations using
specific code functions and placing a converted data structure in an out-
put buffer to make it available for further processing;*
  *in response to determining that the file access data structure is
not the critical path data structure, calling a byte-swapping engine to
perform the following:*
    *a.) identifying, from a descriptor look up table, a series of
actions to perform on elements of the file access data structure;*
    *b.) performing the identified series of actions on the ele-
ments of the file access data structure to convert the file data
structure from the first endianness to the second endianness; and*
    *c.) placing a converted data structure in an output buffer
to make it available for further processing.*

Fischer discloses a system and method that utilizes a byte swapping module to

convert bytes from little endian format to big endian format. (See Fischer, Col. 4, Lines

19-21). The byte swapping module in Fischer reverses the order of the bytes in the data structure. (See Fischer, Col. 4, Lines 21-22).

Applicant respectfully submits that Fischer fails to teach or disclose Applicant's claimed novel

> *determining if the file access data structure is a critical path data structure, where the critical path data structure includes commonly utilized data structures;*
> *in response to determining that the file access data structure is the critical path data structure, performing byte swap operations using specific code functions and placing a converted data structure in an output buffer to make it available for further processing;*
> *in response to determining that the file access data structure is not the critical path data structure, calling a byte-swapping engine*

More particularly, Applicant respectfully submits that Fischer fails to teach or disclose Applicant's claimed novel

> *determining if the file access data structure is a critical path data structure, where the critical path data structure includes commonly utilized data structures;*

Applicant respectfully notes that although Fischer utilizes a byte swapping module, Fischer is completely silent with respect to determining whether the file access data structure is a critical path data structure.

Further, Fischer is completely silent with respect to performing byte swap operations using specific code functions if the file access data structure is the critical path data structure, and calling a byte-swapping engine if the file access data structure is not the critical path data structure.

That is, Fischer is completely silent with respect to Applicant's claimed novel

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>*determining if the file access data structure is a critical path data structure, where the critical path data structure includes commonly utilized data structures;*
>
>*in response to determining that the file access data structure is the critical path data structure, performing byte swap operations using specific code functions and placing a converted data structure in an output buffer to make it available for further processing;*
>
>*in response to determining that the file access data structure is not the critical path data structure, calling a byte-swapping engine*

Accordingly, Applicant respectfully submits that Fischer is legally insufficient to render the presently claimed invention unpatentable under 35 U.S.C. § 102 because of the absence in Fischer of Applicant's claimed novel *determining if the file access data structure is a critical path data structure, where the critical path data structure includes commonly utilized data structures; in response to determining that the file access data structure is the critical path data structure, performing byte swap operations using specific code functions and placing a converted data structure in an output buffer to make it available for further processing; in response to determining that the file access data structure is not the critical path data structure, calling a byte-swapping engine.*

NEW CLAIMS

Applicant's claimed invention, as set forth by independent claim 51, comprises in part:

>51. (NEW) A computer to convert a file access data structure from a first endianness to a second endianness, comprising:
>
>*an operating system executing on the computer to determine if the file access data structure is a critical path data structure, where the critical path data structure includes commonly utilized data structures;*
>
>*the computer performing byte swap operations using specific code functions in response to determining that the file access data structure is the critical path data structure, and holding a converted data structure in an output buffer to make it available for further processing;*

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> *the computer calling a byte-swapping engine to perform the fol-*
> *lowing in response to determining that the file access data structure is*
> *not the critical path data structure*:
>> a.) the byte-swapping engine executing a process to iden-
>> tify, from a descriptor look up table, a series of actions to perform
>> on elements of the file access data structure; and
>>
>> b.) the byte-swapping engine to perform the identified se-
>> ries of actions on the elements of the file access data structure to
>> convert the file data structure from the first endianness to the sec-
>> ond endianness; and
>>
>> c.) a memory having an output buffer to hold a converted
>> data structure in the output buffer to make it available for further
>> processing

Applicant respectfully submits that for the same reasons asserted under the 102

analysis, Fischer is completely silent with respect to Applicant's claimed novel

> *an operating system executing on the computer to determine if*
> *the file access data structure is a critical path data structure, where the*
> *critical path data structure includes commonly utilized data structures;*
> *the computer performing byte swap operations using specific code func-*
> *tions in response to determining that the file access data structure is the*
> *critical path data structure,* and holding a converted data structure in an
> output buffer to make it available for further processing;
> *the computer calling a byte-swapping engine to perform the fol-*
> *lowing in response to determining that the file access data structure is*
> *not the critical path data structure*

Accordingly, Applicant respectfully submits that the new claims are in condition

for allowance.

All independent claims are believed to be in condition for allowance.

All dependent claims are dependent from independent claims which are believed

to be in condition for allowance. Accordingly, all dependent claims are believed to be in

condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

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